

# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Minutes Planning and Zoning Board

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Wednesday, May 20, 2015

7:00 PM

Commission Chambers

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### 1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

### 2. ROLL CALL:

Also present: Planning & Development Director, Chris Bowley, AICP; Planning & Development Assistant Director, Ron Paradise and Administrative Assistant, Kathrine Kyp.

**Present:** 4 - Member Tom Burbank  
Member Adam Walosik  
Member Noble Olasimbo  
Member Stony Sixma

**Excused:** 2 - Member Wendy Hickey  
Member Victor M. Ramos

**Absent:** 1 - Member Herb Zischkau

### 3. APPROVAL OF MINUTES & AGENDA:

#### A. Approval of Minutes for - April 15, 2015

Motion by Member Olasimbo, seconded by Member Sixma, to approve as amended the Minutes for the April 15, 2015 Planning and Zoning Board meeting . The motion carried by the following vote:

For: 4 - Member Burbank, Member Walosik, Member Olasimbo and  
Member Sixma

### 6. OLD BUSINESS:

### 7. NEW BUSINESS:

#### B. Lake Sidney Shores Conditional Use Application, CU15-002, Resolution No. 2015-07

Mr. Bowley made a statement that the applicant has requested a postponement of the application and therefore the item cannot be heard at this meeting.

**C. Rezoning Application, RZ15-002, Fernanda Place, Ordinance No. 05-2015**

Mr. Paradise stated for the record that, the applicant has requested a date certain postponement of the application to the Planning and Zoning Board Meeting to July 15, 2015.

**A. Zoning Variance Application, VR15-001, Resolution No. 2015-13**

Mr. Paradise provided the Board with a brief description of the zoning variance to allow a home carport addition in the front yard of the dwelling, located at 2845 Redbud Court. Staff recommended denial of the application, due to no established hardship.

Member Olasimbo and Member Walosik discussed the fact that there is no hardship on the property to support the zoning variance request. Chairman Burbank referred to a case in the past and stated that maybe the Ordinance in the Code is the hardship itself.

Chairman Burbank opened the public forum.

Barbara Williams 2845 Redbud Court, applicant for the zoning variance request, stated the reason she is requesting the variance is due to the sun hitting the inside of her home and a safe place for her kids to play. She mentioned that she has driven around the City and has noticed that there are other carports in other parts of the City. She plans to build according to the direction of the Board.

Kim Diaz, 3124 Nickerbean Street, spoke for the application and stated that she likes the carport idea in the front of the dwelling and wants to build one for her property as well.

Chairman Burbank closed the public forum.

Chairman Burbank spoke regarding a similar case where sunlight was a hardship. Member Walosik spoke that the condition of sunlight is not a condition for the hardship, as there are five conditions in the Code that need to be demonstrated and not one of them was met.

Member Olasimbo stated, the conditions of hardship was not met and the applicant can plant trees to block the sunlight. Member Walosik spoke of the domino effect throughout the City and people wanting to store their items in the garage.

**Motion by Member Walosik, seconded by Member Olasimbo, to recommend that the City Commission deny Zoning Variance Application, VR15-001, Resolution No. 2015-13 . The motion carried by the following vote:**

**For: 4 - Member Burbank, Member Walosik, Member Olasimbo and Member Sixma**

**8. STAFF COMMENTS:**

Mr. Bowley stated that Chairman Burbank requested Staff to make an amendment to the Land Development Code for Sec.110-1200 Creation. C.(c) Officers. "The director of development services shall perform the secretary's duties in opening the meeting and calling for nominations for chairperson at the first meeting of the board following its establishment by the city commission." Mr. Bowley stated that this sentence will be deleted, since it is out dated.

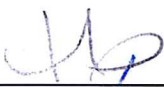
**9. BOARD/COMMITTEE MEMBERS COMMENTS:**

None.

**10. ADJOURNMENT:**

The meeting was adjourned at 7:18 p.m.

**ATTEST:**

  
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Tom Burbank, CHAIRMAN

  
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Kathrine Kyp, RECORDING SECRETARY

**NOTE:** If any person decides to appeal any decision made by the Deltona Board/Committee with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.